

UNITED STATE DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
100 FEDERAL PLAZA  
CENTRAL ISLIP, NY 11722

U16ADCE9

06/25/25

13-19

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Santos Hernandez and Emanuel De Jesu Lievano,

Plaintiffs,

Case No. 20-cv-04026

-against-

Rosso Uptown Ltd, Michele Tizzano s/h/a Michael Tizzano  
and Massimo Gammella,

June 25, 2025

Defendants,

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**Re: Request for Judicial Intervention.**

Dear Magistrate Judge Locke,

I am writing to respectfully request the Court's intervention in the above referenced matter. While the parties reached a settlement in principle and I accepted the terms presented, consented to the release of funds kept in escrow with our attorney, I have since made several requests to opposing counsel, Mr. Moser, to finalize the procedural steps required to close the case, including:

1. Filing the stipulation of discontinuance with prejudice;
2. Dismissing all claims on the record;
3. Filing or producing written confirmation of settlement authority from his clients;
4. Executing any necessary releases or settlement-related documentation.

To date, Mr. Moser has not filed the discontinuance or provided any documentation showing that he had actual authority from his clients to settle the matter. This is despite multiple email communications and written solicitations on my part. His clients were also notably absent from the final settlement conference, in violation of Your Honor's clear directive for all parties to be present.

I believe Mr. Moser is intentionally delaying these final steps because I have consistently and transparently asked for proof of his authority to settle the case on behalf of his clients. I made it clear to him during settlement discussions that while I agreed to the terms, I expected written confirmation of such authority. Also informed him of my intention to file a formal complaint with the Grievance Committee for the Tenth Judicial District if this issue was not resolved in good faith.

The opposing counsel silence and refusal to finalize the matter prejudice my rights and undermine the integrity of the settlement process. I therefore respectfully ask this Court to issue an order compelling Mr. Moser to:

File the stipulation of discontinuance with prejudice without further delay;

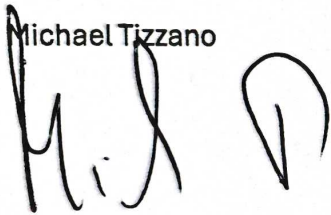
Provide proof of his clients' authority to settle the matter and funds disbursement to them.

Comply with any other court-ordered post-settlement procedures.

I appreciate the Court's time and attention to this matter.

Respectfully,

Michael Tizzano

A handwritten signature in black ink, appearing to read 'M. Tizzano', followed by a circular mark.

SENT VIA EMAIL TO MR MOSER



6/30/25, 4:51 PM

Gmail - File Submitted to Pro Se Portal



michael for rossoup24@gmail.com>

\*\*\* Filed \*\*\*  
05:13 PM, 30 JUN, 2025  
U.S.D.C., Eastern District of New York

## File Submitted to Pro Se Portal

1 message

noreply@nyed.uscourts.gov <noreply@nyed.uscourts.gov>  
To: rossoup24@gmail.com

Wed, Jun 25, 2025 at 1:19 PM

Dear Michael Tizzano,

This email confirms the Court received  
one file you submitted to Pro Se Portal.

Thank you.

FILE WAS PREVIOUSLY ULADEN ON 06/25/25  
SOE EMAIL CONFIRMATION AT 1:19 PM

BUT WHEN I CALLED THE COURT CLERK  
HAD NO RECORD, I AM REUBUTTING  
TODAY 06/30/25